

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WONDIYRAD KABEDE,

No. C-09-0323 TEH (PR)

Plaintiff,

v.

PELICAN BAY STATE PRISON,

ORDER OF DISMISSAL

Defendant.

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Plaintiff is a California prisoner proceeding pro se who  
is incarcerated at Pelican Bay State Prison.

On January 26, 2009 this court received a letter from  
Plaintiff regarding case C-07-3656 TEH (PR), a pending civil rights  
action under 42 U.S.C. § 1983 claiming a violation of Plaintiff's  
Eighth Amendment right to be free from cruel and unusual punishment.  
The letter was inadvertently filed as a new action and assigned case  
number C-09-0323 TEH (PR).

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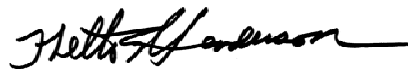
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1           The clerk is directed to close case C-09-0323 TEH (PR) and  
2 to file a copy of the letter in Plaintiff's pending matter, C-07-  
3 3656 TEH (PR).

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6           IT IS SO ORDERED.

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8       DATED       02/26/09

  
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THELTON E. HENDERSON  
United States District Judge

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